

FILED

JULY 12, 2004

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

**IN THE MATTER OF THE REGISTRATION : Administrative Action
OF:**

JOSEPH PORCELLO

CONSENT ORDER

**TO PRACTICE ATHLETIC TRAINING IN :
THE STATE OF NEW JERSEY**

This matter was opened to the New Jersey State Board of Medical Examiners upon the receipt of information that in the course of performing services for a 15 year old student, A., Mr. Porcello performed services beyond the scope of his license as an athletic trainer, as defined by N.J.S.A. 45:9-37.36 and N.J.A.C. 13:35-10.6 and beyond the direction of his supervising physicians, in that he performed examinations of the student's genitals despite absence of direct traumatic injury and obtained rectal temperatures inappropriately. It was also alleged that respondent permitted the student, despite a suspected urinary tract infection, to soak unclothed in a school whirlpool, did not appropriately drape Student A during examination and treatment, that treatment logs were incomplete and Mr. Porcello misrepresented his credentials, as a B.S. degree in athletic training and sports medicine, although he holds a B.S. degree in horticulture.

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity of further formal proceedings; the Board having found

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violations of the statutes and regulations cited above, governing the practice of athletic training, and respondent hatting waived any right to a hearing in this matter; and the Board finding that good cause exists for the entry of the within Order;

IT IS ON THIS DAY OF

July 7th 2004,

ORDERED:

1. Respondent is hereby reprimanded for performing procedures beyond the scope of practice of a licensed athletic trainer.

2. Respondent shall cease and desist the taking of rectal temperatures on students except in an emergency heat stroke situation and only upon specific direction of his supervising physician.

4. Respondent shall cease and desist examining the genitals of a student absent direct traumatic injury to the, genitals and only upon specific direction of his supervising physician.

5. Respondent shall cease and desist permitting students to soak in the whirlpool while unclothed or when the student is suspected of having any condition, such as an infection or communicable disease, contraindicating the use of the whirlpool.

6. Respondent shall cease and desist misrepresenting his credentials.

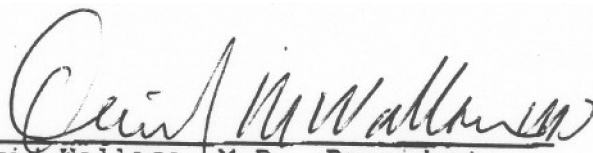
7. Respondent is advised to appropriately drape students at all times during examination and treatment and to maintain an

extensive and complete treatment log including all Modalities utilized.

8. Respondent's license to practice athletic training is placed on probation for a period of one year effective on the date of filing of the within Order. During probation, respondent shall practice for a minimum of 6 months under a preceptor, who is a licensed athletic trainer approved by the Board, and who shall review respondent's practice a minimum of once every two weeks to ensure treatment, examinations, treatment logs, and referrals to physicians are appropriate. The preceptor shall agree by his or her signature on this order to provide monthly reports to the Committee with a final report for re-evaluation and the Board of the Committee to be submitted after 6 months of preceptorship which shall recommend whether continuation of the preceptorship is necessary. The preceptorship shall be at the expense of respondent.

8. Following review by the Committee of all reports of the preceptor, the Committee shall recommend to the Board and the Board shall determine, whether the preceptorship shall be continued, and the terms and conditions of any extended preceptorship.

STATE BOARD OF MEDICAL EXAMINERS

By 
David Wallace, M.D., President

I have read and understood the
within Order and of the document
regarding the reporting practices
of the Board, and I agree to be bound
by the terms set forth in both documents.
Consent is hereby given for the Board
to enter this Order.,

Joseph Porcello
Joseph Porcello, Athletic Trainer

Dated: 7/2/04

Agreed to As to Form and Entry:

Anthony Pope
Anthony Pope, Esq., Attorney
for Respondent

I agree to act as Mr. Porcello's preceptor and
to report to the Board as indicated in
the attached Order,

,Athletic Trainer